

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TRISHA WREN, ET AL.,

Case No. C-06-05778 JCS

Plaintiff(s),

v.

**ORDER RE PLAINTIFFS' LETTER AND
PROPOSED ORDER OF JUNE 19, 2009
[Docket Nos. 744, 745]**

RGIS INVENTORY SPECIALISTS,

Defendant(s).

On June 19, 2009, Plaintiffs filed a letter requesting that the Court enter an order listing all opt-in plaintiffs who were dismissed under the Court's May 29, 2009 Order (amended June 19, 2009) ("the Dismissal Order"). Plaintiffs submitted a proposed order with a list of opt-in plaintiffs it believed had been dismissed. The letter stated that five individuals who had been listed in the underlying motion papers as having submitted their consents late had been omitted from the list of dismissed opt-in plaintiffs because Plaintiffs subsequently discovered that these individuals had submitted their consents on or before October 9, 2008 – the last date permitted under the Court's Dismissal Order. In a supplemental letter dated June 22, 2009, Plaintiffs provided the names of those five individuals.

On June 24, 2009, Defendant filed a letter in response to the letters discussed above, stating that while it agreed that three of the individuals listed in Plaintiffs' June 22, 2009 letter fell outside of the Court's Dismissal Order, it objected to the inclusion of two others – Donald Michael Williams Jr. and Amy Eing – as valid class members because Plaintiffs had not provided any records establishing that the consents for these individuals had been filed by October 9, 2008.

1 In order to assist the Court in resolving the parties' dispute regarding which class-members
2 have been dismissed, the parties are ordered to submit the following materials within ten (10) days
3 of the date of this Order:

- 4 1. Plaintiffs shall submit evidence to the Court in support of their contention that
5 Donald Michael Williams Jr. and Amy Eing submitted their consents before the
6 October 9, 2008 deadline; and
- 7 2. Defendant shall file a brief, not to exceed two pages, listing any objections it may
8 have, other than the objections already stated in its June 24, 2009 letter, to the list
9 provided by Plaintiffs as an exhibit to their June 19, 2009 proposed order. If
10 Defendant has no such objections, it shall file a letter with the Court stating as much.

11 IT IS SO ORDERED.

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13 Dated: June 25, 2009

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16 JOSEPH C. SPERO
17 United States Magistrate Judge
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